



March 6, 2023

VIA ECF

The Hon. Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Astra Veda Corporation v. Apollo Capital Corp. et. al. — No.: 1:22-cv-07308-GHW-SN — Plaintiff's Request for Leave to File a Sur-Reply (ECF No. 67)

Dear Judge Netburn,

We represent Defendants Apollo Capital Corp., Apollo Management Group, Inc., and Yohan Naraine (“Defendants”) in the above-referenced Action. We refer to the letter motion filed this morning by Plaintiff’s counsel seeking leave to file a sur-reply (ECF No. 67) (“Letter”). The Letter did not include the full content of Defendants’ counsel’s email of Saturday, March 4, 2023 (“Email”). The full content of the Email is extracted below (with emphasis added to the text not included in the Letter). We thank the Court for its continued time and attention to this Action.

“Since this issue has been discussed by counsel for several months, our reply focused on the issues and evidence we identified during our meet and confer, and we used no supporting documents that were not already in the possession of Mr. Basile’s law firm, we do not believe a sur-opposition is appropriate. In the event that permission is granted, we want the opportunity to file a sur-reply since we have the burden. If permission is granted, we propose each side file respective papers within three days (you would have three days from permission being granted and we would have three days from your filing) and that pleadings be limited to five pages including any additional affirmations.

Moreover, given the record, we suggest that you reconsider your position with regard to the disqualification motion.”

Respectfully submitted,



Nicholas Saady